

HOUSE BILL 1665

By Smith

AN ACT to amend Tennessee Code Annotated, Title 30,
relative to estates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 30-1-117(a), is amended by adding the following new subdivision:

(11) A statement identifying if the decedent was the owner of or had a controlling interest in any ongoing business or economic enterprise that is or may be part of the estate to be administered, and, if so, the names and addresses of all such ongoing business or economic enterprises.

SECTION 2. Tennessee Code Annotated, Section 30-1-401, is amended by deleting the language "public administrator, a public guardian and a public trustee" and substituting instead the language "public administrator, public guardian, public trustee, and public receiver".

SECTION 3. Tennessee Code Annotated, Section 30-1-401, is amended by deleting the language "administrators, guardians and trustees" and substituting instead the language "administrators, guardians, trustees, and receivers".

SECTION 4. Tennessee Code Annotated, Section 30-1-402, is amended by deleting the section and substituting instead the following:

An administrator, guardian, trustee, or receiver is, in all things, governed by, and subject to, all the laws, rules, duties, and penalties, prescribed by law for the government of other administrators, guardians, and receivers, and the management and settlement of estates and trusts.

SECTION 5. Tennessee Code Annotated, Section 30-1-403, is amended by deleting the language "administrator, guardian or trustee" and substituting instead the language "administrator, guardian, trustee, or receiver".

SECTION 6. Tennessee Code Annotated, Section 30-1-404, is amended by adding the following new subsection:

(c) Upon motion of the personal representative, an interested party, or upon the court's own motion, the probate court or chancery court may appoint the public receiver to determine the need for a temporary or permanent receiver. The public receiver must submit a report of its recommendations to the court, which report must be served via United States mail to the personal representative and all known interested parties. The report is subject to the same review as a report of a special master. Upon a hearing, the court may appoint a receiver with such powers as are necessary, consistent with those extended to receivers in absentees' estates.

SECTION 7. Tennessee Code Annotated, Section 30-1-407, is amended by deleting the language "administrator, guardian or trustee" wherever it appears and substituting instead the language "administrator, guardian, trustee, or receiver".

SECTION 8. Tennessee Code Annotated, Section 30-1-407, is amended by deleting the language "administrators, guardians and trustees" and substituting instead the language "administrators, guardians, trustees, and receivers".

SECTION 9. Tennessee Code Annotated, Section 30-1-408, is amended by deleting the language "administrator, guardian or trustee" wherever it appears and substituting instead the language "administrator, guardian, trustee, or receiver".

SECTION 10. This act takes effect July 1, 2022, the public welfare requiring it.